

My name is Aymenn Jawad Al-Tamimi. I have been asked by Charles Swift to prepare a second supplement to my expert witness report for the Giampietro trial, in order to provide an explanation of a larger range of terms and phrases used in the social media chats that have been recovered for use as evidence in the trial. It is to be noted that here I am not attempting to explain what Giampietro necessarily meant by these terms, but rather their general definition and/or applicability to the context of the conflict in Syria, the jihadist groups that operate there, and their supporters.

Hadith (plural: ahadith): the term has a variety of meanings in Arabic, such as ‘talk,’ but the relevance of the term in this context is the collection of sayings and deeds attributed to the Prophet Muhammad and his companions, initially transmitted orally via chains of narrators and then committed to writing. These ahadith are many thousands in number, and a whole system of study and terminology has arisen for the analysis of ahadith in terms of their reliability. The ahadith were compiled in a variety of collections, the most reliable/authoritative for Sunni Muslims being the two ‘Sahih’ (‘authentic’) collections of Bukhari and Muslim. ‘Sahih’ in the context of ahadith is the most reliable degree of classification. The ahadith in general constitute important source material for the determination of Islamic teachings on various matters, as the ahadith are believed to illustrate the ‘Sunna’ (‘custom’, ‘way’ etc.) of the Prophet that Muslims should strive to emulate.

Fatwa: a (technically non-binding) opinion on a matter issued by an Islamic authority, normally in response to a question posed to that authority by someone else or a wider controversy. That issuing authority may be a single person, or it may be an organisational body. In the Syrian context, both the Islamic State and Hay’at Tahrir al-Sham developed bodies specialised in the issuing of fatwas. The Islamic State’s body was called the Research and Fatwa-Issuing Department (Diwan al-Buhuth wa al-Iftaa’) and it first emerged in 2014 after the group’s declaration of the Caliphate on 29 June of that year.ⁱ While its name was eventually changed to the Research and Studies Office (Maktab al-Buhuth wa al-Dirasat), the capacity to issue fatwas remained. The office was subsequently dissolved as the group’s territory contracted and it became involved in internal Islamic State controversies about the group’s ideological direction, which reached their peak in the 2017-2018 period.ⁱⁱ Hay’at Tahrir al-Sham has developed a body called the ‘Supreme Council for Fatwa Issuing’ (al-Majlis al-‘Ala lil-Iftaa’), whose public presence on Telegram appeared in 2019.ⁱⁱⁱ However, unlike the Islamic State, which claimed its fatwa issuing body as affiliated with the organisation, Hay’at Tahrir al-Sham engages in formal distancing from the ‘Supreme Council for Fatwa Issuing’ (i.e. it does not claim that the council is affiliated with Hay’at Tahrir al-Sham), similar to its formal distancing from the ‘Salvation Government.’

Jihad: coming from the Arabic root j-h-d that has connotations of striving and struggling, jihad is often seen as manifesting in two forms. An ‘internal’ jihad in the form of self-betterment, and an ‘external’ jihad in the form of fighting against the enemies of Islam. The fighting form of jihad in turn has sub-types, such as whether it is offensive (i.e. to expand the dominion of Islam) or defensive (i.e. repelling alleged aggression against Muslims), and also according to the means by which the fighting is carried out, such as through writing or speaking words of encouragement, giving money to fighters and actually taking up arms and going to the frontlines to fight. The result of these various types of jihad is also a variety of rulings on the obligation: for instance, offensive jihad is generally seen as a collective obligation (fard kifaya) when there is an Islamic ruling authority such as a caliph, whereas defensive jihad is initially incumbent on all Muslims as individuals (fard ‘ayn) residing in the abode under attack by the enemy, and if they are unable to repel the aggression, then the

obligation begins to expand outward to encompass Muslims in neighbouring areas. The most common understanding of this term in relation to the Syrian conflict has been that the insurgent groups fighting the Syrian government and its allies are waging a defensive jihad, particularly as the Syrian government and its allies are not considered Muslim. Some groups that have actively sought to recruit foreigners to participate in the Syrian conflict- most notably the Islamic State- have invoked a supposed obligation for jihad as a reason to come to Syria. Hay'at Tahrir al-Sham's position is somewhat more complex. Although Abu Yahya al-Farghali, an Egyptian clerical official in Hay'at Tahrir al-Sham, continues to recommend his lectures on issues pertaining to jihad in which he speaks of the jihad as defensive and says there is an obligation to mobilise for the jihad in Syria,^{iv} Hay'at Tahrir al-Sham's official recruiting apparatus works on recruiting locals for its ranks and does not actively seek out the recruitment of foreigners and bringing them into Syria within the framework of the obligation of jihad.

Fitna: this is an Arabic term that usually means 'temptation' or 'strife.' The latter has a variety of connotations in the context of jihadist discourse. For example, on a general level, the 'strife' may be in the form of the prevalence of religions besides Islam, and thus there is the imperative to bring about Islam's dominance. This is derived from an interpretation of the Qur'anic verse 8:39, which reads: 'And fight them until there is no more fitna, and the religion belongs wholly to God.' However, another idea behind 'fitna', applied especially in the specific context of the Syrian context, is that it refers to infighting among Muslims that should be avoided. Thus, rounds of fighting between Hay'at Tahrir al-Sham and other jihadist and insurgent groups in the period 2017-2019 could be seen as examples of fitna.

Riba: a word that occurs multiple times in the context of Qur'anic verses and the ahadith as something to be strictly forbidden. A common translation of the term is 'usury'. In the strictest sense, riba could theoretically encompass all kinds of interest on money, and thus it should not be allowed to charge interest on any loans, for example. However, the concept of riba and the debate about it occur across the spectrum of Islamic thought, and the term has no specific application in the context of the Syrian conflict or groups like the Islamic State and Hay'at Tahrir al-Sham.

Haram: used to refer to something strictly forbidden in Islam, as opposed to an act that may be disliked but not forbidden (makruh). For example, riba may be considered haram, whereas smoking may only be makruh.

Halal: the opposite of haram. Something permitted in Islam.

Jahiliya: from the Arabic root j-h-l that has connotations of ignorance. The term is used to refer to the pre-Islamic period of 'ignorance', and is often used in an adjectival sense (jahili; feminine form Jahiliya) to describe ideas and ways of thinking that are not Islamic. In the context of jihadist groups and the Syrian conflict, the term may be used to describe things like the imposition of non-Islamic systems of rule and a nationalist/tribal partisanship. For instance, in an issue of the Islamic State's al-Naba' newsletter featuring an interview with 'Abu Mansour al-Ansari' (the head of the group's covert operations units in Syria's eastern province of Deir az-Zor, dubbed 'Wilayat al-Khayr'), Abu Mansour laments the supposed loss of Islam in Wilayat al-Khayr caused by 'the imposition of the Jahili rulings by the apostates [people who have left Islam] on the area.'^v

Tafsir: a term that means 'explanation' or 'interpretation.' It is most commonly used to refer

to interpretations of verses of the Qur'an by commentators, such that entire volumes of tafsir by these commentators exist. Two prominent examples of tafsir works are those by the medieval theologians Ibn Kathir and Imam al-Qurtubi, both of which have been cited by jihadists (though they are also cited by many Sunni Muslims who are not jihadists).^{vi} It is therefore important to look at the context in which a tafsir may be cited as well as the content of that tafsir, rather than merely looking at the name of the commentator cited.

Ayat: most commonly used to refer to verses of the Qur'an. A general meaning of the term is 'signs': thus, the Qur'an verses, which are believed to be God's literal words, are signs from God, and likewise God's causation of miracles and other wonders are also signs that humans may choose to heed or ignore.

Sheikh: this term may be used to refer to an 'elder' in the literal sense (e.g. the elderly as a category of people) or an 'elder' in the more metaphorical sense of a person of authority, particularly religious authority. It is especially common in the context of the Syrian conflict to refer to figures of religious authority. One prominent example is the Saudi-born cleric 'Sheikh' Abdullah al-Muheisseni, who was previously affiliated with Hay'at Tahrir al-Sham. Another example is 'Sheikh' Abd al-Razzaq al-Mahdi, a Syrian cleric who was also previously affiliated with Hay'at Tahrir al-Sham.

Ribat: the term is used in a military context in general and in the context of the Syrian conflict in particular to refer to manning of the frontlines by personnel, in which fighters keep watch for any potential escalation with the enemy. Performing ribat is considered an important task for personnel of insurgent groups like Hay'at Tahrir al-Sham and previously for the Islamic State when it controlled territory in Iraq and Syria.

'Jihad is finished for now': for many who supported the 'Syrian revolution' and the subsequent insurgency as a 'jihad' with the hope of establishing an Islamic government in Syria, there has arisen a sense of disillusionment that the jihad has practically come to an end, at least for the time being. In the context of northwest Syria where Hay'at Tahrir al-Sham, the particular relevance is the fact that multiple agreements have been devised between Russia and Turkey to enforce a lasting ceasefire over the area, and in the eyes of the disillusioned, Hay'at Tahrir al-Sham is seen as effectively complying with and enforcing that ceasefire, while also cracking down on and destroying other groups that are seen as a threat to its power and authority over the northwest region and may challenge the arrangements in place.

Hijra: the term means 'migration'. In the context of the Syrian conflict, the term is especially common to refer to the journey of foreigners to the regions of Syria controlled by the Islamic State or the other insurgent groups. The Islamic model in mind with the use of this concept is the Prophet Muhammad's migration from Mecca to Medina in 622 CE, following which he established the first Islamic polity in Medina. For the Islamic State at the height of its power, this 'hijra' was portrayed as an obligation for Muslims around the world who could do so, as part of the idea of migrating from the 'abode of disbelief' to the 'abode of Islam' that was the territories under its control in Iraq and Syria. The term has also been used to refer to those who have 'migrated' to the areas of northwest Syria both in the present and the past.

Bay'a: the terms means 'allegiance.' It is especially used to refer to the idea of giving obedience to someone in a position of political-religious-military authority, and is often divided into the concept of 'greater allegiance' (i.e. giving allegiance to the supreme authority in the global Muslim community: the Ummah) and the 'lesser allegiance' (i.e.

giving allegiance to someone who is an authority but not the supreme one in the global Muslim community). The idea of bay'a occurs in Qur'an 48:10: 'Indeed those who pledge allegiance to you are pledging allegiance to God' (i.e. those who committed to obey the Prophet Muhammad committed to obey God). The term bay'a has been used throughout Islamic history to refer, for instance, to giving allegiance to the caliph (seen as the supreme political-religious-military in the global Muslim community), and so the concept was heavily emphasised by the Islamic State in its propaganda when it claimed the re-establishment of the Caliphate and the need for Muslims worldwide to pledge allegiance to the group's leader. The concept is also of relevance to other militant groups like al-Qa'ida and Hay'at Tahrir al-Sham. For instance, one of the points of dispute between al-Qa'ida and Hay'at Tahrir al-Sham is that the latter has supposedly violated its allegiance pledge to al-Qa'ida's leader in declaring a breaking of ties without his proper permission.

Mahdi: meaning the 'guided one'. The term is used in Islam to refer to the Messiah who will come in the end times and will defeat the Dajjal ('Antichrist') and bring about the unification of the Ummah and impose the proper authority of Islam over the whole world.

Takfeer: this term is used to mean declaring someone to be a kafir (i.e. a disbeliever). In some cases, takfeer is not controversial, such as when a Muslim 'takfeers' followers of non-monotheistic religions (i.e. declares them to be disbelievers). The concept is controversial however when one 'takfeers' those who claim affiliation with Islam (in which case, those upon whom takfeer is declared are called 'apostates': people who have left Islam), with much dispute over the applicability and restrictions in such cases. Those seen as indulging in excessive takfeer of those who claim affiliation with Islam have often been regarded as extremists. The most prominent example in the case of the Syrian conflict is the Islamic State, which ended up fighting all other insurgent groups (including Jabhat al-Nusra, which was then affiliated with al-Qa'ida) by mid-2014 and declared them all to be apostates.

Duaa': a term used to refer to prayer.

Ahadith about staying in the home: with somewhat imprecise citation, references are made to ahadith about staying in one's homes during times of fitna. There are indeed multiple ahadith that speak of staying in one's home in a time of fitna. For instance, one hadith in the collection of Tirmidhi quotes the Prophet Muhammad as saying that during times of fitna one should:

'Break your bows, cut your strings [of the bows] and stay in the depths of your homes, and be like the son of Adam.'^{vii}

While the various ahadith texts on this matter differ in wording as well as time period reference, the general idea is that in times of fitna when condemned acts spread, people's affairs are disturbed, and there is no real authority known to enforce what is right and prohibit what is wrong, it may be permissible for the Muslim to stay in his/her home and isolate from the people and not mix with them, as the Muslim in this case fears for his/her religion and worries about the possibility of deviating from it and falling into apostasy and idolatry.^{viii} I must admit I have not seen these ahadith cited in previous discussions of the Syrian context, but it would make sense to cite these texts as a justification for not participating in the context if one does not believe that there is a group in Syria that is truly fighting for the cause of Islam because of all the infighting, partition of influence among various factions etc.

The hadith about ‘being killed is better than attacking a brother’: no precise citation is given, but it is apparent that these words come in the context of the same subset of ahadith about staying in one’s home during the time of fitna. To illustrate, here is a full quotation of a hadith (emphasis in bold my own) that references the idea that being killed is better than attacking a fellow Muslim:

‘On the authority of Jandab bin Sufyan: he said: the Messenger of God (SAWS) said: ‘There will be after me fitnas like the piercing dark night, in which the man is a believer in the morning and a disbeliever in the evening, and then a disbeliever in the evening and then a believer in the morning.’ A man from the Muslims said: ‘So how we should we act in that case, oh Messenger of God?’ He said: ‘Enter your homes and hide.’ So a man said: ‘What do you consider we should do if someone enters upon one of us in our home?’ The Messenger of God (SAWS) said: ‘Let him [i.e. one of you] restrain his hand, and **let him be the killed servant of God and let him not be the servant of God who kills**, for indeed the man will be in the group of Islam but he will eat the wealth of his brother, shed his blood, disobey his Lord, disbelieve in his Creator, and so the Hellfire will be mandated for him.’^{ix}

ⁱ <https://www.aymennjawad.org/2015/01/archive-of-islamic-state-administrative-documents>

ⁱⁱ <https://www.aymennjawad.org/21914/complaints-against-the-islamic-state-media>

ⁱⁱⁱ https://t.me/lftaa_sy

^{iv} <https://muhafeer.com/watch/4Y17zlgXENgEuZP>

^v <http://www.aymennjawad.org/2020/11/islamic-state-newsletter-interview-on-insurgent>

^{vi} <https://www.aymennjawad.org/2021/07/the-rafidite-catastrophes-islamic-state-editorial>

^{vii} <https://sunnah.com/tirmidhi:2204>

^{viii} Cf. The explanation of the ahadith pertaining to this concept at

<https://islamqa.info/ar/answers/249037/%D8%A7%D9%84%D8%A7%D9%85%D8%B1-%D8%A8%D9%84%D8%B2%D9%88%D9%85-%D8%A7%D9%84%D8%A8%D9%8A%D9%88%D8%AA-%D8%B9%D9%86%D8%AF-%D8%AD%D8%B5%D9%88%D9%84-%D8%A7%D9%84%D9%81%D8%AA%D9%86-%D9%88%D8%A7%D9%84%D8%AA%D8%A8%D8%A7%D8%B3%D9%87%D8%A7-%D9%88%D8%AA%D9%83%D8%A7%D8%AB%D8%B1%D9%87%D8%A7>

^{ix} Arabic text here. Translation somewhat amended by me:

<https://www.abuaminaelias.com/dailyhadithonline/2017/02/07/fitnah-stay-inside-hide/>